

AT A SPECIAL CALLED MEETING OF THE CULPEPER COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD ROOM, LOCATED AT 302 N. MAIN STREET, ON FRIDAY, AUGUST 13, 2004.

Board Members Present:

John F. Coates, Chairman
Steven L. Walker, Vice-Chairman
William C. Chase, Jr.
Sue D. Hansohn
James C. Lee
Steven E. Nixon

Board Members Absent:

Brad C. Rosenberger

Staff Present:

Frank T. Bossio, County Administrator
J. David Maddox, County Attorney
Peggy S. Crane, Deputy Clerk

CALL TO ORDER

Mr. Coates, Chairman, called the meeting to order at 4:30 p.m.

RE: APPROVAL OF AGENDA - ADDITIONS AND/OR DELETIONS

Mr. Chase moved, seconded by Mr. Nixon, to approve the agenda as published.

Mr. Coates called for voice vote.

Ayes – Chase, Coates, Hansohn, Lee, Nixon, Walker

Absent – Rosenberger

Motion carried 6 to 0.

RE: CONSIDERATION OF RESOLUTION

Mr. Dave Maddox, County Attorney, presented a resolution for the Board's consideration requesting the Circuit Court to order a special election on the question of enacting a County food and beverage tax on the November 2nd ballot. He explained that at the Board's October meeting a similar resolution was adopted, but at that time it wasn't certain whether it would be placed on a primary ballot or general election ballot. The reason for this special called meeting was to meet the Circuit Court's deadline for filing the request sixty (60) days before the election and that deadline would have passed before the September Board meeting.

Mr. Chase moved, seconded by Mr. Lee, to approve the resolution as presented.

Mr. Coates called for voice vote.

Ayes – Chase, Coates, Hansohn, Lee, Nixon, Walker

Absent – Rosenberger

Motion carried 6 to 0.

CLOSED SESSION

Mr. Walker moved to enter into closed session, as permitted under the following *Virginia Code* Sections, and for the following reasons: 1. Under *Virginia Code* §§ 2.2-3711(A)(3) and (A)(7) to discuss with the County Attorney the acquisition of easements on the Rappahannock and Rapidan Rivers and the likelihood of litigation regarding the same.

Mr. Coates called for voice vote.

Ayes – Coates, Hansohn, Nixon, Walker

Nays – Chase, Lee

Absent – Rosenberger

Motion carried 4 to 2.

The Board entered into closed session at 4:35 p.m.

The Board returned to open session at 4:40 p.m.

Mr. Coates polled the members of the Board regarding the closed session held. He asked the individual Board members to certify that to the best of their knowledge, did they certify that (1) only public business matters lawfully exempted from the open meeting requirements under Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the closed session motion by which the closed meeting was convened, were heard, discussed or considered by the Board in the closed session.

Ayes – Chase, Walker, Lee, Coates, Nixon, Hansohn

Mr. Coates asked that the record show that Mr. Rosenberger was not present.

RE: APPOINTMENT TO REPRESENT THE BOARD

Mr. Walker moved, seconded by Mr. Chase, to appoint Steve Walker and Steve Nixon to represent the Board of Supervisors at the City of Fredericksburg's meeting in regards to the easements on the Rappahannock and Rapidan Rivers.

Mr. Coates called for voice vote.

Ayes – Chase, Coates, Hansohn, Lee, Nixon, Walker

Absent – Rosenberger

Motion carried 6 to 0.

ADJOURNMENT

Mrs. Hansohn moved, seconded by Mr. Nixon, to adjourn at 4:43 p.m.

Mr. Coates called for voice vote.

Ayes – Chase, Coates, Hansohn, Lee, Nixon, Walker

Absent – Rosenberger

Motion carried 6 to 0.

Peggy S. Crane, CMC
Deputy Clerk

John F. Coates, Chairman

ATTEST:

Frank T. Bossio
Clerk to the Board

APPROVED: September 7, 2004